



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

\* \* \* \* \*

In the matter of )  
**RESCISSION OF ADMINISTRATIVE ORDER** )  
**OF DECEMBER 1, 2010 DEFINING** )  
**ELIGIBILITY FOR LICENSURE AND THE** )  
**PROCESS FOR CONDUCTING CONSUMER** )  
**SPIRIT SAMPLING EVENTS** )  
\_\_\_\_\_ )

At the April 14, 2017 meeting of the Michigan Liquor Control Commission in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Dennis Olshove, Commissioner

**ADMINISTRATIVE ORDER NO. 2017-04**  
**RESCISSION OF ADMINISTRATIVE ORDER OF DECEMBER 1, 2010**  
**DEFINING ELIGIBILITY FOR LICENSURE AND THE PROCESS FOR CONDUCTING**  
**CONSUMER SPIRIT SAMPLING EVENTS**

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

Public Act 175 of 2010 created the Consumer Sampling Event license under MCL 436.2027(3), (4), (5), and (6). Pursuant to MCL 436.2027(6), the Commission may, by rule or issuance of an order, further define the eligibility for the licensure and processes for conducting consumer sampling events.

The Commission previously approved the Administrative Order of December 1, 2010, pursuant to the provisions of MCL 436.2027(6), to define the eligibility requirements for the Consumer Sampling Event license. Section (1) of the of the Administrative Order dated December 1, 2010 restated statutory requirements in MCL 436.1529(4)(a) and (b), which require payment of a \$70.00 nonrefundable inspection fee for a new or transfer license application, and MCL 436.1525(13), which requires the submission of a completed application submitted with any applicable fees. Sections (2) through (16) of the Order restated statutory requirements for the Consumer Sampling Event license already codified in MCL 436.2027(4). Section (17) created a \$70.00 triennial renewal fee for the Consumer Sampling Event license, a fee which was not required in statute or promulgated rule.

The Commission finds that, except for section (17), the provisions of the Administrative Order dated December 1, 2010 are already clearly defined in statute or promulgated rule. Furthermore, the Commission finds that section (17) of the Order pertaining to the \$70.00 triennial renewal fee should be rescinded because neither the statute nor the promulgated rules require the establishment of a license renewal fee and the Commission determines the fee to be unnecessary.

After review and discussion of the issues at the meeting, the Commission finds that the Administrative Order dated December 1, 2010 should be rescinded subject to the provisions in the Michigan Liquor Control Code, the administrative rules, and as provided in this Administrative Order.

THEREFORE, IT IS ORDERED that:

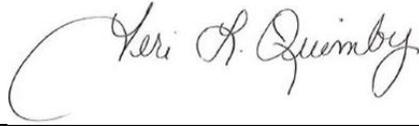
- A. The Administrative Order dated December 1, 2010, including the payment of a \$70.00 triennial renewal fee for the Consumer Sampling Event license, is RESCINDED, effective immediately.

MICHIGAN LIQUOR CONTROL COMMISSION



---

Andrew J. Deloney, Chairman



---

Teri L. Quimby, Commissioner



---

Dennis Olshove, Commissioner

D3